

# EXHIBIT AB

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**From:** Agatha Cole  
**To:** Shifrin, Maximillian S.  
**Cc:** Helen Chaitman; Beatrice Gonzalez  
**Subject:** RE: Following Up  
**Date:** Tuesday, July 10, 2018 9:17:00 AM

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Max,

This delayed response time is unacceptable.

Have the NSCC spreadsheets referenced in the SEC OIG report been produced or not?

If not, please produce them immediately or let us know when you expect to produce them.

Please also note that we will have no choice but to seek sanctions and dismissal (per Judge Bernstein's suggestion) unless we receive all documents requested by July 30.

Thanks,

Agatha

Agatha M. Cole  
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office: (888) 759-1114  
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**From:** Agatha Cole  
**Sent:** Friday, June 29, 2018 12:41 PM  
**To:** Shifrin, Maximillian S. <mshifrin@bakerlaw.com>  
**Cc:** Helen Chaitman <hchaitman@chaitmanllp.com>; Beatrice Gonzalez <bgonzalez@chaitmanllp.com>  
**Subject:** RE: Following Up

Hi Max,

Just wanted to send another reminder about these pending requests. Please kindly provide a response as soon as you are able.

Thanks,

Agatha

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**From:** Shifrin, Maximillian S. [mshifrin@bakerlaw.com]  
**Sent:** Thursday, June 21, 2018 9:58 AM  
**To:** Agatha Cole  
**Cc:** Helen Chaitman; Beatrice Gonzalez

**Subject:** Re: Following Up

Agatha,

We are in receipt of both emails and have been looking into the issues they raise. We will respond as soon as possible.

Best,  
Max

On Jun 21, 2018, at 9:46 AM, Agatha Cole <[acole@chaitmanllp.com](mailto:acole@chaitmanllp.com)> wrote:

Hi Max,

I'm writing to follow up on two separate emails that you should have received from our team earlier this week, regarding (1) the NSCC spreadsheets referenced below; and (2) our request for clarification on the significance of various different pre-fixes used in the Bates reference for documents produced by your team.

Both emails are copied below for your convenience.

Could you please kindly get back to us on both of these issues by EOD today?

Thanks,

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**From:** Helen Chaitman  
**Sent:** Tuesday, June 19, 2018 11:35 AM  
**To:** Shifrin, Maximillian S. <[mshifrin@bakerlaw.com](mailto:mshifrin@bakerlaw.com)>  
**Cc:** Agatha Cole <[acole@chaitmanllp.com](mailto:acole@chaitmanllp.com)>  
**Subject:** FW: NSCC Documents from SEC OIG Investigation

Max: I hope you are well.

If you look at this link to the SEC's OIG Report on the Madoff Investigation:  
<https://www.sec.gov/news/studies/2009/oig-509.pdf>, you will see, at page 5, that the SEC obtained

various documents from third parties during its investigation, including:

All clearing data records from the **National Securities Clearing Corporation (NSCC)**, for all executions effected by BMIS, whether BMIS was on the purchasing side or on the selling side of the securities, in **14 specific equity securities**, on a daily basis, in **Excel format, by trade date** for the trading time period of March 10 through March 18, 2005.

As I understand it, the Trustee obtained a copy of all documents used in the SEC investigation, and then produced the same to us on October 9, 2014 (see attached letter). I have reviewed the documents contained in that production, however, and am unable to locate the above referenced spreadsheets of NSCC data for the 14 specific equities.

Would it be possible to have these produced or identified by Bates range (if they have already been produced)? Thanks very much.

Helen Davis Chaitman  
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**From:** Beatrice Gonzalez  
**Sent:** Monday, June 18, 2018 3:49 PM  
**To:** '[mshifrin@bakerlaw.com](mailto:mshifrin@bakerlaw.com)' <[mshifrin@bakerlaw.com](mailto:mshifrin@bakerlaw.com)>  
**Cc:** Helen Chaitman <[hchaitman@chaitmanllp.com](mailto:hchaitman@chaitmanllp.com)>; Agatha Cole <[acole@chaitmanllp.com](mailto:acole@chaitmanllp.com)>; Sarah Howell <[showell@chaitmanllp.com](mailto:showell@chaitmanllp.com)>  
**Subject:** Trustee productions

Good afternoon Mr. Shifrin,

Per Helen Chaitman's request, can you please provide us with an index of what each bates prefix represents? For example, what does "MADTBB" stand for?

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